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MARK J. BENNETT 2672
Attorney General of Hawaii

2010 JUN 17 PM 1:41

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Deputy Attorney General
Department of Attorney
General, State of Hawaii
Labor Division
425 Queen Street
Honolulu, Hawaii 96813
Telephone: 586-1450

HAWAII LABOR
RELATIONS BOARD

Attorneys for Complainant DARWIN L.D. CHING,
Director of Labor and Industrial Relations

STATE OF HAWAII

HAWAII LABOR RELATIONS BOARD

In the Matter of)	CASE NO. OSH 2009-38
)	(Inspection No. 311436703)
DIRECTOR, DEPARTMENT OF LABOR)	
AND INDUSTRIAL RELATIONS,)	STIPULATION AND SETTLEMENT
)	AGREEMENT; EXHIBITS A-B; APPROVAL
Complainant,)	AND ORDER
)	
vs.)	
)	
THE HANA GROUP, INC. dba HANA)	
SECURITY SERVICES,)	
)	
Respondent.)	

STIPULATION AND SETTLEMENT AGREEMENT

Complainant DARWIN L.D. CHING, Director of Labor and Industrial Relations
("Director") and Respondent THE HANA GROUP, INC. dba HANA SECURITY SERVICES
("Respondent") having reached a full and complete settlement of the above-captioned contested
case presently pending before the Hawaii Labor Relations Board ("Board") stipulate and agree as
follows:

On or about January 17, 2009 through July 17, 1009, the Director, by and through

the State of Hawaii's Occupational Safety and Health Division ("HIOSH"), inspected Respondent's workplace located at Building 285 NAVFAC, Honolulu, Hawaii 96860.

As a consequence of said inspection, the Director issued a Citation and Notification of Penalty on July 17, 2009 ("Citation") to Respondent alleging violations of the Hawaii Occupational Safety and Health Standards and assessed an aggregate penalty of \$10,500.00. See Exhibit A.

Respondent timely contested the Citation.

THEREFORE, to avoid the expense of litigation and to compromise and settle the above-captioned case, the parties, by and through their respective representatives, stipulate and agree as follows:

1. The Board has jurisdiction over this contested case pursuant to section 396-11, Hawaii Revised Statutes ("HRS").
2. At all relevant times, Respondent maintained a workplace at Building 285 NAVFAC, Honolulu, Hawaii 96860.
3. At all relevant times, Respondent was an employer, as defined in HRS § 396-3, and employed employees, as defined in HRS § 396-3, and was therefore subject to the requirements of HRS chapter 396, the Hawaii Occupational Safety and Health Law.
4. Respondent agrees that it has abated each violation listed in the Citation in compliance with the abatement requirements under Hawaii Administrative Rule § 12-51-22. Respondent has submitted the completed abatement certification which is attached hereto as Exhibit B.
5. The Citation is amended as follows:
 - a. Citation 1, Item 1 and Citation 1, Item 2 are grouped and the

characterization of the grouped items is changed from Serious to Other than Serious.

b. The characterization of Citation 1, Item 3 is changed from Serious to Other than Serious.

6. The aggregate penalty will remain \$10,500.00 which shall be paid in full to the Director of Budget and Finance upon the execution of this Agreement.

7. Except for the stipulated amendments described above, the Citation is confirmed in all other respects and upon approval by the Board, this Agreement and the Citation, as amended, shall become a final order of the Director.

8. Respondent shall post a copy of this Agreement and Order in a prominent place at or near the location of the posting of the Citation, and the Agreement and Order shall remain posted for three working days (excluding weekends and State holidays).

9. Respondent shall continue to comply with HRS chapter 396, the Hawaii Occupational Safety and Health Law, and the related rules.

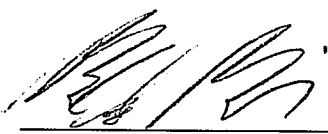
10. Nothing in this Agreement shall bar the Director from taking any action regarding future acts or practices by Respondent which may be alleged to violate HRS chapter 396, the Hawaii Occupational Safety and Health Law, or the related rules.

11. Upon approval of this Agreement, all proceedings before the Board shall be dismissed.

DATED: Honolulu, Hawaii, June 17, 2010.

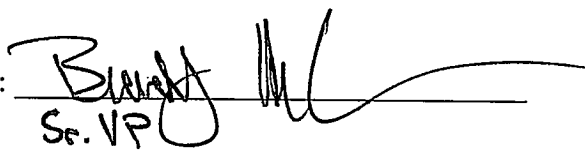
APPROVED AS TO FORM:

THE HANA GROUP, INC. dba HANA
SECURITY SERVICES



BRAD MILLER
Attorney for Respondent

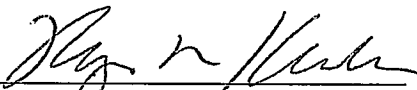
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Its

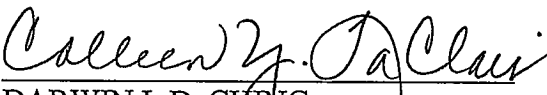


Sr. VP

APPROVED AS TO FORM:

DIRECTOR OF LABOR AND
INDUSTRIAL RELATIONS


ROBYN M. KUWABE
Deputy Attorney General
Attorney for Director of Labor and
Industrial Relations, State of Hawaii


for DARWIN L.D. CHING

APPROVED AND SO ORDERED BY
HAWAII LABOR RELATIONS BOARD:

ORDER NO. 395

DATED: June 17, 2010


JAMES B. NICHOLSON, Chair


SARAH R. HIRAKAMI, Member


NORMAN K. KATO, Member

State of Hawaii

Department of Labor and Industrial Relations
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 425
HONOLULU, HI 96813
Phone: (808)586-9090 FAX: (808)586-9104



Certified Number: 7006 2150 0004 4122 0105

Citation and Notification of Penalty

To:

The Hana Group Inc dba Hana Security Services
and its successors
1631 Liliha St #1B
Honolulu, HI 96817

Inspection Number: 311436703 (Arthur
Talacai)
Inspection Date(s): 01/17/2009 - 07/17/09
Issuance Date: 07/17/2009
OSHSO ID: R1835
Optional Report No.: 1409
Inspection Type: Fatality/Catastrophe
Scope of Inspection: Comprehensive Inspection

Inspection Site:

Bldg 285 NAVFAC
Honolulu, HI 96860

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty describes violations of the Hawaii Occupational Safety and Health Law. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties, unless within 20 calendar days from your receipt of this Citation and Notification of Penalty, you mail a notice of contest to the State of Hawaii Occupational Safety and Health Division (HIOSH) at the address shown above. Please refer to the enclosed booklet (Employer Rights and Responsibilities Following a HIOSH Inspection) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Law has occurred unless there is a failure to contest as provided for in the Law or, if contested, unless this Citation is affirmed by the Hawaii Labor Relations Board (HLRB) or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and State holidays), whichever is longer. The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.

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Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Administrator during the 20 calendar day contest period. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Administrator within 20 calendar days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 5, Notice to Employees, next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Employers' Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Administrator in writing that you intend to contest the citation(s) and/or penalty(ies) within 20 calendar days after receipt, the citation(s) and the penalty(ies) will become a final order of the Department of Labor and Industrial Relations and may not be reviewed by any court or agency. Once a letter of contest is received, it becomes the jurisdiction of the HLRB.

Penalty Payment - Penalties are due within 20 calendar days of receipt of this notification unless contested. Make your check or money order payable to "Director of Budget and Finance." Please indicate the Inspection Number on the remittance.

HIOSH does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Notification of Corrective Action - For each violations which you do not contest, you are required by Section 12-51-22 to submit an Abatement Certification to HIOSH. The certification must be sent by you within 5 calendar days of the abatement date indicated on the citation. For **Willful and Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by Section 12-51-22 to be sent to HIOSH, also be posted at the location where the violation appeared and the corrective action took place.

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Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 60 days after the discrimination occurred with the Hawaii Occupational Safety and Health Division at the address shown above.

Employer Rights and Responsibilities - The enclosed booklet (~~Employer Rights and Responsibilities~~ Following a HIOSH Inspection) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Employees' Right to Contest - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the Hawaii Occupational Safety and Health Division at the address shown above and postmarked within 20 calendar days of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data - You should be aware that OSHA publishes information on inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact this office.

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ABATEMENT CERTIFICATION

DARWIN L.D. CHING, DIRECTOR
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 425
HONOLULU, HI 96813

The Hana Group Inc dba Hana Security Services
1631 Liliha St #1B
Honolulu, HI 96817

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____.
How corrected: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____.
How corrected: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____.
How corrected: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____.
How corrected: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____.
How corrected: _____

I attest that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement activities described in this certification.

Signature

Typed or Printed Name

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State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety and Health Division



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with HIOSH to discuss the citation(s) issued on 07/17/2009. The conference will be held at the HIOSH office located at 830 PUNCHBOWL STREET, ROOM 425, HONOLULU, HI, 96813 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

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State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety And Health Division

Inspection Number: 311436703

Inspection Dates: 01/17/2009 - 07/17/09

Issuance Date: 07/17/2009



Citation and Notification of Penalty

Company Name: The Hana Group Inc dba Hana Security Services

Inspection Site: Bldg 285 NAVFAC, Honolulu, HI 96860

Citation 1 Item 1 Type of Violation: Serious

HAR §12-60-2(b)(1)(A) was violated because:

The employer's written safety and health program was not effective because it failed to identify and control workplace hazards. The employer allowed an employee to continue to work and participate in annual training activities on January 16, 2009, after the employee failed to pass the medical evaluation on December 11, 2008. Furthermore, Managers and Supervisors were not held accountable, pursuant to the requirement in their written safety and health program, to mitigate hazardous conditions by failing to detect and address the employee's failed medical evaluation.

§12-60-2(b)(1)(A) states "The employer shall institute and maintain an effective safety and health program to identify, evaluate and control workplace hazards. Employer safety and health programs which were developed prior to the promulgation of this standard may be used to satisfy this requirement so long as they meet the criteria for an acceptable program set forth in (B) below."

Location: Establishment

Date By Which Violation Must be Abated:
Penalty:

07/27/2009
\$ 3,500.00

053

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety And Health Division

Inspection Number: 311436703

Inspection Dates: 01/17/2009 - 07/17/09

Issuance Date: 07/17/2009



Citation and Notification of Penalty

Company Name: The Hana Group Inc dba Hana Security Services

Inspection Site: Bldg 285 NAVFAC, Honolulu, HI 96860

Citation 1 Item 2 Type of Violation: Serious

HAR §12-60-2(b)(4)(C) was violated because:

The employer did not ensure that Training Personnel and Site Managers were able to recognize potential hazards, maintain safety and health protection in the work area, and reinforce employee training on the nature of the potential hazards associated with annual training and the required protective measures.

§12-60-2(b)(4)(C) states "The employer shall ensure that the supervisors and managers understand their responsibilities under the safety and health program and their importance to the safety and health of the workplace. In particular, the training for managers and supervisors shall enable them to: (i) Recognize potential hazards; (ii) Maintain safety and health protection in the work area; and (iii) Reinforce employee training on the nature of the potential hazards and required protective measures."

Location: Establishment

Date By Which Violation Must be Abated:

07/27/2009

Penalty:

\$ 3,500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of Hawaii

Department of Labor and Industrial Relations
Hawaii Occupational Safety And Health Division

Inspection Number: 311436703

Inspection Dates: 01/17/2009 - 07/17/09

Issuance Date: 07/17/2009



Citation and Notification of Penalty

Company Name: The Hana Group Inc dba Hana Security Services
Inspection Site: Bldg 285 NAVFAC, Honolulu, HI 96860

Citation 1 Item 3 Type of Violation: Serious

HAR §12-202-1(f) was violated because:

The employer failed to provide adequate medical evaluations to best determine employee fitness associated with Oleoresin Capsicum used as a part of training.

§12-202-1(f) states "When medical examinations are appropriate for adequate employee protection, the employer shall, at the employer's cost, provide examinations to best determine the effect of toxic material or harmful physical agents on the health of employees."

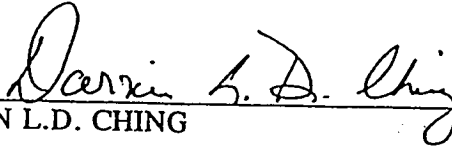
Location: Establishment

Date By Which Violation Must be Abated:

07/27/2009

Penalty:

\$ 3,500.00



DARWIN L.D. CHING
Director

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

State of Hawaii

Department of Labor and Industrial Relations
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 425
HONOLULU, HI 96813

SUMMARY OF PENALTIES

Company Name: The Hana Group Inc dba Hana Security Services
Inspection Site: Bldg 285 NAVFAC, Honolulu, HI 96860
Issuance Date: 07/17/2009

Summary of Penalties for Inspection Number 311436703

Citation 1, Serious	= \$ 10,500.00
TOTAL PENALTIES	= \$ 10,500.00

Make check or money order payable to the "Director of Budget and Finance." Please indicate the inspection number and dba, if company name is different, on the remittance. A fee of \$15.00 will be charged for any returned checks.

If receipt is desired, please indicate with payment; otherwise, your cancelled check will be your receipt.



Hana Security Services

ABATEMENT CERTIFICATION

July 27, 2009

DARWIN L. D. CHING, DIRECTOR
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
HAWAII OCCUPATIONAL SAFETY AND HEALTH DIVISION
830 PUNCHBOWL STREET, ROOM 425
HONOLULU, HI 96813

The Hana Group Inc dba Hana Security Services (HSS)
1631 Liliha St #1B
Honolulu, HI 96817

Sir:

The following is the submittal of The Abatement Certification of Inspection Number 311436703 Items 1-3 which was issued on 07/17/2009.

If there are any questions, please contact Alexander Olsen at 522-7278 ext 31.

A handwritten signature in cursive script, appearing to read "Alvin H. Pauole".

Alvin H. Pauole
The Hana Group, Inc.

EXHIBIT B

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Hana Security Services



Abatement Certification: Citation 1 Item 1:

The hazard referenced in Inspection Number 311436703 for the violation identified as Citation 1 and Item 1 was corrected on July 27, 2009.

Citation 1 Item 1: The employer's written Safety and Health program was not effective because it failed to identify and control workplace hazards. The employer allowed an employee to continue to work and participate in annual training activities on January 16, 2009, after the employee failed to pass the medical evaluation on December 11, 2008. Furthermore, Managers and Supervisors were not held accountable, pursuant to their requirement in their written Safety and Health Program, to mitigate hazardous conditions by failing to detect and address the employee's failed medical evaluation.

The item was corrected by implementing new notification procedures following the evaluation by Dr. Hahn of an individual who has completed an initial or an annual physical examination and by re-emphasizing to the site managers their responsibilities for the health and welfare of their people.

Our new process regarding medical evaluations is as follows:

1. Dr. Hahn performs a medical evaluation on the individual using the medical evaluation form and cover sheet (attachment 1). Upon completion of the medical evaluation form, either Dr. Hahn or his secretary, Mary, delivers the evaluation to HSS Office Manager, Sandy Chang in person.
2. At the time of receipt, Sandy completes the Completed Medical Evaluation Receipt Form (attachment 2) and has Dr. Hahn or Mary sign the form.
3. Sandy then passes the Medical Evaluation form and cover sheet to the responsible Site Manager, or George Williams, Project Manager, for review. A signature block to show that the Medical Evaluation was reviewed and the date is at the bottom of the Form.
4. Applicants who do not pass the initial Medical Evaluation will not be allowed to proceed through the hiring process.
5. Current employees who have failed the examination and have treatable risk factors that were identified during the annual evaluation will need to seek clearance from their personal physician if they desire to continue with HSS. They will need to take the following forms to their physician and obtain approval to perform the requirements of the position. If the company does not obtain approval from the physician, the employee will be terminated from the company.
 - a. Armed Guard Job Description (attachment 3)
 - b. New Hire and Requalification Course Criteria (attachment 4)
 - c. Physical Fitness Assessment Form (attachment 5)

Dr. Hahn will review all documentation provided by the employee's physician and make a final determination on the employee's ability to safely perform the job requirements.

Hana Security Services



An annual audit is conducted by our Contract Management department and will continue to stress compliance in the following areas:

- Compliance to company policies and procedures
- Compliance to hiring requirements
- Compliance to annual and semiannual certification and physical fitness requirements
- Documentation compliance
- Performance deliverables
- Compliance to training requirements



Hana Security Services

Abatement Certification: Citation 1 Item 2:

The hazard referenced in Inspection Number 311436703 for the violation identified as Citation 1 and Item 2 was corrected on July 27, 2009.

Citation 1 Item 2: The employer did not ensure that Training Personnel and SM were able to recognize potential hazards, maintain safety and health protection in the work area and reinforce employee training on the nature of potential hazards associated with annual training and the required protective measures.

This item was corrected by conducting monthly corporate level safety meetings since January 2009 and weekly HSS meetings at the site level since February 2009 which emphasized the recognition of potential hazards and protective measures. It was also designed to improve safety accountability and awareness within each HOHP company and at every site.

Additionally, a Safety Stand Down was conducted on May 1, 2009 to all trainers as well as employees. This Safety Stand Down was conducted at all three locations; Pearl Harbor, NCTAMS, NAVMAG and each of the presenters were senior staff members. Prior to the Safety Stand Down, all presenters were briefed by the HSS Project Safety manager, Daniel Tamura and/or by the Corporate Safety Officer, General Cockett regarding the subjects covered during the Stand Down.

Because our operations are 24-7, we held a class for each shift at each location. Any officer who was unable to attend the stand-down was required to attend make-up presentations led by their commanders in the week following.

The Safety Stand down was held for an hour and covered such topics as:

- Company value of safety
- History of Accidents
- Prevention of Accidents
- Reviewed the identified health and safety hazards & prevention tips- Weather, Traffic, Personal Safety and Health Accountability, Handling of Weapons, Slips & Falls
- Reporting Injuries

Date	Site	Time	Presenters
5-01-09	Pearl Harbor	1300	Daniel Tamura, Clarence Watson, Irwin Cockett
5-01-09	Pearl Harbor	2100	Daniel Tamura, Clarence Watson, Irwin Cockett
5-01-09	Pearl Harbor	0500	Daniel Tamura, Clarence Watson, Mike Rawlins
5-01-09	NAVMAG	1300	Robert Ganzagan
5-01-09	NAVMAG	2100	Robert Ganzagan
5-01-09	NAVMAG	0500	Robert Ganzagan

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Hana Security Services



5-01-09	NCTAMS	1300	Myles Ito
5-01-09	NCTAMS	2100	Myles Ito
5-01-09	NCTAMS	0500	Myles Ito

Presenters:

Daniel Tamura, Project Safety Manager .

Clarence Watson, Pearl Harbor Site Manager

Robert Ganzagan, NAVMAG Site Manager

Myles Ito, NCTAMS Site Manager

Irwin Cockett, Hui O Hana Pono Corporate Safety Officer

Mike Rawlins, The Hana Group Corporate Representative

This item was also corrected by implementing the newly revised HSS Accident Prevention Plan. This Plan was revised on June 30, 2009 and now includes Oleoresin Capsicum (O.C.) Spray. Included in the plan is a Hazard Analysis section, which identifies and addresses all potential hazards that could affect our employees.

As part of its corporate responsibilities, HOHP has developed a corporate HOHP Health and Safety Program that was completed and implemented on June 12, 2009. This program would then be adopted as a base program by each company and would emphasize that safety starts from the Board of Directors and that all employees must recognize the importance of safety in the workplace. Each president of an HOHP company is then responsible to tailor the HOHP program to meet their business and operational needs. Once completed, the Presidents will be responsible for ensuring each project manager supplements the company Health and Safety Program with any contract specific safety requirements and adheres to the program. Currently, the President of The Hana Group is developing a Health and Safety Plan and will be completed by August 1, 2009. It incorporates the entire HOHP Health and Safety Program.

The importance of compliance to all established safety plans, policies and procedures and the importance of recognizing the hazards will be emphasized in future Stand Downs, classes and review sessions.

Hana Security Services



Abatement Certification: Citation 1 Item 3:

The hazard referenced in Inspection Number 311436703 for the violation identified as Citation 1 and Item 3, was corrected on July 27, 2009.

Citation 1 Item 3: The employer failed to provide adequate medical evaluations to best determine employee fitness associated with OC spray used as part of training.

The item was corrected by requiring all trainers re-emphasize the potential risks of OC with the employee. Our trainers currently review the potential risks of OC with the employees.

In addition, HSS revised its Accident Prevention Plan on June 30, 2009 which now identifies the use of Oleoresin Capsicum (O.C.) Spray, and the protective measures and controls of OC Spray. Dr Hahn has also been advised again on July 23, 2009, that OC spray is being used during our training sessions.

By July 30, 2009, we will sit with Dr. Hahn and review the following documents with him. These documents will provide Dr. Hahn with a better understanding of our position requirements.

- o Armed Guard Job Description (attachment 3)
- o New Hire and Requalification Course Criteria (attachment 4)
- o MSDS sheet for Oleoresin Capsicum (OC)

Dr. Hahn will be touring the worksite and meeting with the trainers to gain a better understanding of the requirements of the position. Based on his review, he will modify his medical evaluation to include questions and/or tests that will allow him to better assess the individual's ability to safely and successfully perform the job functions.

During training classes, our trainers currently review the potential risks of OC with the employees. Our trainers will also review the MSDS sheets of Oleoresin Capsicum, which is kept in a binder at the training facility, with each new class or annual certification. Additionally, they will also remind individuals who may have health concerns to advise the trainer immediately. If an employee advises the trainer of a health concern, the trainer will consult with the Training Manager, Roy Neiva, and Dr. Hahn, regarding the employee's ability to proceed with the test.

List of Attachments:

- 1) Medical Evaluation Cover Sheet
- 2) Completed Medical Evaluation Receipt form
- 3) Armed Security Officer Job Description
- 4) New Hire and Requalification Course Criteria
- 5) Physical Fitness Assessment Form



Hana Security Services

I attest that the information contained in this document is accurate and that the affected employees and representatives have been informed of the abatement activities described in this certification.

A handwritten signature in cursive script, appearing to read "Alvin H. Pauole".

Signature

Alvin H. Pauole

Typed or Printed Name



Medical Evaluation Cover Sheet

Applicant/ Employee Name: _____ SSN (last 4 digits) _____

Date of Exam: _____ Date Results Received: _____

☐ INITIAL EXAMINATION

☐ ANNUAL EXAMINATION

☐ OTHER _____

RESULTS:

☐ **PASS:** This individual appears medically fit for employment.

I have reviewed the Job Requirements and the individual's current state of health and history. Based on my assessment, I certify that the named employee does not have any health concerns or restrictions that will prevent him/ her from participating in the Requalification Course.

☐ **FAIL:** This person does not appear medically fit for employment.

I have reviewed the Job Requirements and the individual's current state of health and history. Based on my assessment, I do not certify that the named employee is eligible to participate in the Requalification Course due to health concerns.

EVALUATION RESULTS REVIEW:

**New Hires: Forward all evaluations to George Williams, Project Manager or appointed person.*

**Annual Evaluations: Forward all evaluations to appropriate Site Manager*

Name of Reviewer: _____
(Print & Initial)

Date Reviewed: _____

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Armed Security Officer Job Description

Summary: In accordance with NAVY protocols, the armed guard force is concerned with all matters relating to the security of the command, which include:

1. Provide security and safety for personnel, property, facilities, and assets.
2. Provide entry control point services to ensure unauthorized personnel, property, equipment, vessels or vehicles are deterred and denied facility ingress and egress.
3. Safeguarding the base against sabotage or any other incident that might jeopardize the normal operation of the command, such as theft, robbery, riot, lawlessness, demonstrations, etc.

Duties:

- Perform identification checks to ensure only authorized personnel and vehicles are allowed access to the facility.
- May perform inspections to ensure only authorized commercial vehicles and cargo are allowed access to the facility.
- May execute emergency ECP closure procedures during emergencies to ensure all ingress and egress of personnel, property, equipment, vessels or vehicles is denied.
- May provide roving guard services and Perimeter and Interior Patrol that monitor facilities to ensure security breaches and criminal or suspicious activities are detected and reported in a timely manner.
- May provide escort and courier services to ensure safe and timely delivery of personnel and property.
- Assisting in plans and procedures to be followed in the event of any major catastrophe, such as hurricanes, earthquakes, floods, conflagration, and hostile acts to insure adequate security measures are maintained within the command.
- All employees must ensure performance meets the NAVY's requirements and must act in accordance to the Company's Code of Conduct.

Requirements:

All candidates must meet ALL of the following requirements and examination results must be favorable as defined by the DoD contractual requirements:

1. Be at least 21 years of age or be an honorably discharged veteran.
2. Possess a valid automobile driver's license.
3. Be a citizen of the United States of America.
4. Possess a high school diploma or equivalent.
5. California Psychological Inventory examination
6. Medical Evaluation
 - a. Physical Exam
 - b. Visual Test (Near and Far; Able to distinguish colors)
 - c. Auditory
7. Drug Testing
8. Background Screening
9. Weapons Training & Test
10. Defense tactics
11. Physical Fitness -All employees must be able to participate in the Annual Physical Fitness program that tests: Endurance through a 1.5 mile run/walk in a specific timeframe, upper body & core strength through pushups and sit ups. Minimum requirements are based on age categories.

PHYSICAL REQUIREMENTS:

Physical Requirement	Rarely (0-25%)	Occasionally (25-50%)	Frequently (50-75%)	Regularly (75-100%)
Seeing: i.e., must be able to see both far and near.				X
Hearing: i.e., must be able to hear well enough to communicate with internal & external customers				X
Standing/Walking/ Running				X
Sitting	X			
Lifting/Pulling/Pushing		X		
Fingering/ Grasping /Feeling: i.e, typing, writing			X	
Climbing/Stooping/ Kneeling		X		

WORKING CONDITIONS:

The work is performed in an outdoor environment, which requires normal safety precautions; customer relations, in all type of weather conditions.



NEW HIRE & REQUALIFICATION COURSE CRITERIA

On an annual basis, all security officers will be required to complete and successfully pass all of the required training and tests contained in the requalification course.

Weapons Training / Firing

Employees are required to demonstrate proper weapon handling and must pass the target firing criteria. Employees will be firing both a handgun and shotgun.

- 1) 9MM low light course
- 2) NHQC - Navy Handgun Qualification Course
- 3) Handgun Practical Weapons Course
- 4) Shotgun Practical Weapons Course

Officers remain at one location and the targets are move to different distances on both the low light and NHQC course. (3 yards, 7 yards and 15 yards)

On both Practical Weapons Courses (handgun and shotgun) the officer has to traverse from station to station engaging targets at different distances. (25 yards, 20 yards, 15 yards, 10 yards and 7 yards)

Physical Fitness Assessment

At the end of the weapons qualification the officers will change out of uniform into fitness clothing and complete the PFA (Physical Fitness Assessment). Refer to attachment

- Sit and Reach -- hold for 2 seconds
- Curl-Ups -- depending on age and gender
- Push-Ups -- depending on age and gender
- 1.5 mile run/walk -- depending on age and gender

NLW - Non Lethal Weapons Training:

The below mentioned training are done in the training dojo. All strikes bodily strikes and are light, 25% no 100% strikes.

- 1) Patterns of movement - consist of forward shuffle, rear shuffle, weak side step, strong side step, forward and reverse pivots.
- 2) Striking - officers will demonstrate the following by striking training bags
 - a. Forward punch, left and right hand
 - b. Palm heel strike, left and right hand
 - c. Edge/hammer fist strike, left and right hand
 - d. Elbow strike, both vertical and horizontal, left and right hand
 - e. Knee strike, both vertical and horizontal, left and right knee
 - f. Shin kick, strong side only
- 3) Striking w/baton - officers will demonstrate by striking training bags w/training baton
 - a. Forward and reverse strike
 - b. Middle strike and rear jab
- 4) Blocking
 - a. Blocking with training batons, weak side, strong side, low and high blocks

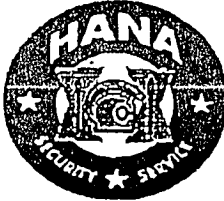
MACH TRAINING:

MACH training will also take place in the training dojo.

There are 5 MACH holds that the officers will perform. All MACH training are done with light hands, no 100% force are to be used. After completing the 5 MACH holds training, all officers will be shown the 5 station course in the open field in which they will need to complete after the OC section.

Level II OC:

Level II OC is done by spraying a piece of cloth with pepper spray and applying that cloth to the forehead of the officer for approximately 2 to 3 seconds. After application the officer will be monitored for a minimum of 2 hours.



PHYSICAL FITNESS ASSESSMENT

Officer's Name: _____
 Print Full Name: Last Name, First Name, Middle Initial

Class Number: _____ Officer Age: _____ Officer Gender: _____

REQUIREMENTS	DATE		RESULTS		OFFICER'S INITIALS	INSTRUCTOR'S INITIALS	
SIT & REACH							
CURL-UPS							
PUSH-UPS							
1.5 MILE RUN							
PHYSICAL READINESS STANDARDS							
	21-29 YEARS		30-39 YEARS		40-49 YEARS		50 + YEARS
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE FEMALE
SIT & REACH	TOUCH TOES HOLD FOR 1 SECOND		TOUCH TOES HOLD FOR 1 SECOND		TOUCH TOES HOLD FOR 1 SECOND		TOUCH TOES HOLD FOR 1 SECOND
CURL-UPS SATISFACTORY	45	40	40	33	32	27	27 22
PUSH-UPS SATISFACTORY	29	11	23	5	20	5	19 5
1.5 MILE RUN/WALK SATISFACTORY	13:45	16:45	15:30	17:15	16:30	18:15	17:00 19:00

Signature: Sign Below

 Officer's Signature/Date

 Training Director Name (print) Signature

 Date